

OVERVIEW OF CERTIFICATE OF NEED

Health Service Facilities Regulated by the CON Law [N.C.G.S. §131E-176(9b)]

1. Acute Care Hospitals. [N.C.G.S. 131E-176(13)]
2. Inpatient Psychiatric Hospitals. [N.C.G.S. 131E-176(21)]
3. Inpatient Rehabilitation Hospitals. [N.C.G.S. 131E-176(22)]
4. Nursing Homes. [N.C.G.S. 131E-176(17b)]
5. Kidney Disease Treatment Centers (i.e., Certified End-Stage Renal Disease Facilities). [N.C.G.S. 131E-176(14e)]
6. Intermediate Care Facilities for Individuals with Intellectual Disabilities. [N.C.G.S. 131E-176(14a)]
7. Certified Home Health Agency Offices. [N.C.G.S. 131E-176(12)]
8. Chemical Dependency Treatment Facilities (inpatient & residential). [N.C.G.S. 131E-176(5a)]
9. Diagnostic Centers. [N.C.G.S. 131E-176(7a)]
10. Hospice Programs and Offices. [N.C.G.S. 131E-176(13a)]
11. Hospice Inpatient Facilities. [N.C.G.S. 131E-176(13b)]
12. Hospice Residential Care Facilities. [N.C.G.S. 131E-176(13c)]
13. Ambulatory Surgical Facilities. [N.C.G.S. 131E-176(1b)]
14. Adult Care Homes. [N.C.G.S. 131E-176(1)]
15. Long-Term Care Hospitals. [N.C.G.S. 131E-176(14k)]

Activities Requiring Certificate of Need Review [N.C.G.S. §131E-176(16)]

1. Establishment of a new health service facility (See 1 through 15 above). [N.C.G.S. 131E-176(16a)]
2. Capital expenditure by any person for a health service in excess of \$2 million dollars. [N.C.G.S. 131E-176(16b)]
3. Change in bed capacity. [N.C.G.S. 131E 176(16c), 176(5) and 176(9c)]
 - (i) Relocation of health service facility beds or dialysis stations. [N.C.G.S. 131E-176(5)(i)]
 - (ii) Change of health service facility beds from one category to another. [N.C.G.S. 131E-176(5)(ii)]
 - (iii) Increase in dialysis stations or health service facility beds. [N.C.G.S. 131E-176(5)(iii)]

Health service facility beds are defined in N.C.G.S. 131E-176(9c) to include:

 - a. acute care beds;
 - b. inpatient psychiatric beds;
 - c. inpatient rehabilitation beds;
 - d. nursing home beds;
 - e. intermediate care beds for Individuals with Intellectual Disabilities;
 - f. chemical dependency treatment beds (inpatient and residential);
 - g. hospice inpatient facility beds;
 - h. hospice residential care facility beds;
 - i. adult care home beds; and
 - j. long-term care hospital beds.
4. Establishment of new dialysis services or home health services. [N.C.G.S. 131E-176(16d)]
5. Change in an approved CON project that includes cost overrun of 15% or the addition of a health service. [N.C.G.S. 131E-176(16e)]
6. The offering of any of the following services [N.C.G.S. 131E-176(16f)]:
 - a. Bone marrow transplantation;

- b. Burn intensive care services;
 - c. Neonatal intensive care services (NICU);
 - d. Open-heart surgery services;
 - e. Solid organ transplantation services; and
 - f. Cardiac catheterization services.
7. The acquisition of any of the following equipment [N.C.G.S. 131E-176(16fl)]:
- a. Air ambulance;*[not enforced subject to a federal court order]*
 - b. Cardiac catheterization equipment;
 - c. Gamma knife equipment;
 - d. Heart-lung bypass machine;
 - e. Linear Accelerator for Radiation Therapy Treatments;
 - f. Lithotripter;
 - g. Magnetic Resonance Imaging (MRI) scanner;
 - h. Positron Emission Tomography (PET) scanner; and
 - i. Radiation Therapy Treatment Simulator.
8. The acquisition of a health service facility from an HMO. [N.C.G.S. 131E-176(16l)]
9. Conversion of non-health care beds to health care beds. [N.C.G.S. 131E-176(16m)]
10. Construction or establishment of a hospice, hospice inpatient facility, or hospice residential care facility. [N.C.G.S. 131E-176(16n)]
11. Opening of an additional office by an existing home health agency or hospice. [N.C.G.S. 131E-176(16o)]
12. Acquisition of major medical equipment (\$750,000 including costs of studies, design, construction, renovation and installation). [N.C.G.S. 131E-176(14o)]
13. Relocation of a health service facility from one service area to another. [N.C.G.S. 131E-176(16q) and 176(24a)]
14. Conversion of specialty ambulatory surgical program to a multispecialty ambulatory surgical program or the addition of a specialty to a specialty ambulatory surgical program. [N.C.G.S. 131E-176(16r), 176(15a) and 176(24c)]
15. Furnishing mobile medical equipment to any person in North Carolina if equipment was not in use in North Carolina prior to March 18, 1993. [N.C.G.S. 131E-176(16s)]
16. Development or relocation of an operating room or gastrointestinal endoscopy room in a licensed health service facility, other than relocation within the same building, on the same grounds, or across a public right of way from the existing location. [N.C.G.S. 131E-176(16u)]
17. The change in designation of an operating room to a gastrointestinal endoscopy room or change in designation of a gastrointestinal endoscopy room to an operating room. [N.C.G.S. 131E-176(16v)]